

REMARKS

Claims 1-26 are currently pending. Reconsideration and allowance of the pending claims are respectfully requested in light of the foregoing amendments and following remarks.

Rejections Under 35 U.S.C. § 112

Claims 1-18 stand rejected under 35 U.S.C. §112, second paragraph, as failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. In particular, the limitation “by the computer” recited in claims 1, 3, and 10, lack sufficient antecedent basis. In response, Applicants have amended the claims so as to provide antecedent basis for the subject limitation and therefore respectfully request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 1-5, 7, 10-14, 16 and 19-23 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lu et al., “B2B in TSMC Turnkey Services” (hereinafter “Lu”). In response, Applicants submit that the cited reference fails to anticipate subject claims for at least the following reasons.

In particular, claim 1, as amended, requires *inter alia*:

selecting at least one of a plurality of input files;

selecting an output file format from a plurality of output file formats;

selecting a mode for circulation from a plurality of modes for circulation; . . . and

circulating the output file to at least one recipient entity using the selected mode for circulation.

The Examiner cites the third paragraph on the left column of page 41 and the fifth paragraph on the right column of page 41 as disclosing “selecting at least one of a plurality of input files.”

As has been previously noted, the cited text reproduced above teaches, at best, entry of INSLIP data (i.e., data entry), which is clearly not equivalent to selecting at least one of a plurality of input files. In particular, no selecting of any sort of file is taught, much less selection of one of a plurality of input files as recited in claim 1.

In section 9.b. of the “Response to Arguments” portion of the Office action, the Examiner states that “the limitation of ‘selecting’ is suggested as an implementation of intended application similar to what is described in the quoted section of LU” (emphasis added). Applicants respectfully disagree. Once again, the Examiner has failed to, and Applicants submit that he cannot, state unequivocally that Lu discloses “selecting at least one of a plurality of input files” as recited in claim 1. Instead, the Examiner again resorts to words like “similar.” As has been previously noted, rejections of claims must be

unequivocal (*see* MPEP 706.02 and 707.07(d)). As one of ordinary skill in the art would no doubt recognize, there is a marked difference between enabling a user to enter data into a system and enabling a user to select an input file from a plurality of input files.

The Examiner cites the final paragraph on page 43 through the first paragraph on page 44 as disclosing “selecting an output file format from a plurality of output file formats.” That paragraph is reproduced below to facilitate discussion:

Originally, subcontractor will inform TSMC when the lot was finished though e-mail, phone or FAX. After getting the information, TSMC could send a shipping instruction to subcontractors and a shipping alert to customers through FAX. The new system changes the flow of shipment. When subcontractors complete the lot, they will send an INSLIP transaction to TSMC. After receiving the INSLIP transaction, the system will processes [sic] some checks to make sure the said good is ready for shipping automatically. If the lot is ready, then the system will send a shipping instruction through a XML format to the subcontractors and a shipping alert to the customer through e-mail. The new flow could reduce by at least 2 days the time from lot finish to shipment, auto issue shipping instructions instead of FAX and auto issue sipping alerts to Customer instead of FAX.

(emphasis added).

As has been previously noted, the cited text, reproduced above, teaches sending data in a single predetermined format (i.e., XML format); it clearly fails to teach enabling selection of an output file format from a plurality of available formats. Even assuming *arguendo* that the cited text teaches the existence of multiple output file formats, it still fails to teach allowing a user to select from among those formats; rather, the format of the output file of Lu is not described by Lu as being configurable or selectable.

The same paragraph is cited as teaching “selecting a mode for circulation from a plurality of modes for circulation . . . and circulating the output file . . . using the selected mode for circulation.” Once again, the cited text teaches only a single mode for circulation (i.e., e-mail); it clearly fails to teach selection of a mode from a plurality of modes and then circulating the output file using the selected mode, as recited in claim 1. It will be noted that the reference to FAX transmission is in the context of a prior art system; in other words, in the “old” system, shipping alerts were FAXed to customers; in the “new” system, shipping alerts are emailed instead of FAXed. Neither system described in the referenced paragraph enables a user to select one or the other modes of forwarding shipping alerts; only one option is available in each system. Therefore, the cited paragraph clearly fails to teach “selecting a mode for circulation from a plurality of modes for circulation,” as recited in claim 1.

In summary, the system of Lu circulates data in a predetermined, fixed, and non-selectable output file format via a predetermined, fixed, and non-selectable mode of communication. Clearly, such a system is not anticipatory of the system clearly recited in claim 1. In view of the foregoing, it is apparent that Lu fails to anticipate claim 1 and the subject rejection should therefore be withdrawn. Independent claims 10 and 19 include limitations similar to those of claim 1 in this regard and is therefore also deemed to be allowable over Lu. Claims 2-5, 7, 11-14, 16, and 20-23 depend from and further limit claims 1, 10, and 19, respectively, and are therefore also deemed to be in condition for allowance for at least that reason.

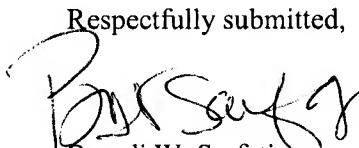
Rejections Under 35 U.S.C. § 103

Claims 6, 8-9, 15, 17-18, and 24-26 stand rejected under 35 U.S.C. §103 as being unpatentable over Lu in view of U.S. Patent No. 6,363,414 to Nicholls et al. (hereinafter “Nicholls”). In response, Applicants submit that, in view of the fact that claims 6, 8-9, 15, 17-18, and 24-26 depend from and further limit independent claims 1, 10, and 19, the claims are deemed to be in condition for allowance for at least that reason.

Conclusion

For at least the reasons set forth in detail above, all of the pending claims are now deemed to be in condition for allowance. Accordingly, Applicants respectfully request that the Examiner withdraw the pending rejections and issue a formal notice of allowance.

Respectfully submitted,



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